

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6 are currently pending in this application. Claims 1, 4, 5, and 6 are hereby amended. No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Support for these amendments may be found in, for example, paragraph [076] and Fig. 6 of Applicant's published application

II. CLAIM REJECTIONS UNDER 35 U.S.C. §101

Claim 6 was rejected on the ground that this claim is directed to non-statutory subject matter (i.e., a "program"). Claim 6 has been amended thereby obviating the issue.

III. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-6 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,683,652 to Ohkawara (hereinafter, merely "*Ohkawara*").

IV. RESPONSE TO REJECTIONS

Independent claim 1 recites, *inter alia*:

“An automatic focusing control apparatus having a focusing lens and an image pickup sensor, comprising:

an image pickup section configured to pick up an image of a subject in synchronization with the cycle of an image vertical synchronizing signal in a cycle which is one-Nth, N being an integer, of the cycle of the image vertical synchronizing signal;

...
a synthesis section configured to synthesize a plurality of image pickup signals picked up by said image pickup section, the synthesis section synthesizing the picked up plurality of image signals into an image signal of one field or selecting one of the picked up plurality of image signals,
wherein ...” (Emphasis added)

A. A Synthesis Section Configured to Synthesize a Plurality Of Image Signals Into An Image Signal Of One Field Is Not Taught Or Suggested In The Prior Art Of Record

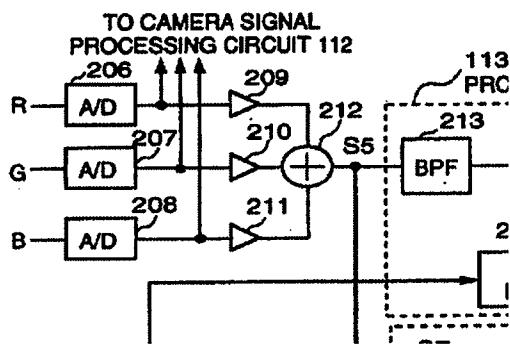
Ohkawara does **not** disclose or suggest “a synthesis section configured to synthesize a plurality of image pickup signals picked up by [an] image pickup section,” whereby “the synthesis section synthesiz[es] the picked up plurality of image signals into an image signal of one field or select[s] one of the picked up plurality of image signals,” as recited in claim 1.

Page 5 of the Office Action concedes that *Ohkawara* does not specifically disclose a synthesis section, however, the Office Action alleges that *Ohkawara* performs the same function as the “synthesis section.”

According to *col. 16, lines 32-38* and Fig. 2 (illustrated on the following page) of *Ohkawara*, the image sensing device outputs, red (R), green (G), and blue (B), are amplified to optimum levels by amplifiers (109), (110), and (111), respectively (see Fig. 1). These amplified

RGB outputs are converted into digital signals by A/D converters (206), (207), and (208), respectively, and then sent to the camera signal processing circuit (112). The A/D converted signals are appropriately amplified by amplifiers (209), (210), and (211), respectively, and added by an adder (212) to generate a luminance signal (S5). Figure 2 of *Ohkawara* shows:

FIG. 2



Ohkawara merely adds RGB components to generate a luminance signal (S5).

By simply adding RGB components, *Ohkawara* does *not* disclose or suggest “synthesizing [a] picked up plurality of image signals into an image signal of one field” or “selecting one of the picked up plurality of image signals,” as recited in claim 1.

Therefore, for at least the above reasons, Applicant respectfully submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 4, 5, and 6 are also patentable.

Therefore, Applicant submits that independent claims 1, 4, 5, and 6 are patentable.

V. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims remaining in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

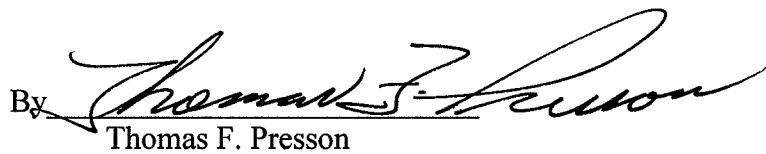
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By



Thomas F. Presson
Reg. No. 41,442
Ph: (212) 588-0800
Fax: (212) 588-0500